



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, Washington 98101

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mailed 12/30
JBC

EC-2
970409

Reply To
Attn Of: ECO-088

DEC 30 1997

Dick Cosgriffe, Area Manager
Prineville BLM District Manager
Post Office Box 550
Prineville, OR 97754

Dear Mr. Cosgriffe:

The Environmental Protection Agency (EPA) has reviewed the draft Environmental Impact Statement (EIS) for the Northeast Oregon Assembled Land Exchange (NOALE). Our review was conducted pursuant to our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, which directs the EPA to review and comment on all federal EIS's.

We are rating this draft EC-2 (Environmental Concerns - Insufficient Information). Our concerns are based on potential water quality and riparian habitat impacts, loss of Columbia Basin shrub-steppe habitat, and loss of old growth forest habitat. Additional information is requested to describe the potential impacts to riparian functions and to describe and evaluate in more detail the shrub steppe habitat and old growth habitat properties and functions that could be potentially lost.

We appreciate the opportunity to provide comments on this draft EIS. An explanation of the EPA rating system for draft EIS's is enclosed for your reference. This rating and a summary of EPA's comments will be published in the Federal Register. If you have any questions about our comments, please contact Judith Leckrone in our Geographic Unit at 206-553-6911.

Sincerely,

Judith Leckrone
for Rick Parkin, Manager
Geographic Implementation Unit

Enclosures

bc: Carl Scheeler, CTUIR
Rick Kepler, ODEQ

**U.S. Environmental Protection Agency (EPA)
Review Comments**

**U.S. Department of Interior
Bureau Of Land Management (BLM)**

**The Northeast Oregon Assembled Land Exchange (NOALE)
and Draft Environmental Impact Statement**

December, 1997

Columbia Basin Shrub Steppe Habitat

Alternative One (the Preferred Action) proposes to dispose of an estimated total of 5,193 acres of Columbia Basin shrub steppe habitat; over 2000 acres of which comprises the area known as Juniper Canyon in the Baker Resource Area. It has come to our attention that many other agencies, organizations, and individuals, including the Confederated Tribes the Umatilla Indian Reservation (CTUIR), have requested that the BLM not dispose of Juniper Canyon and change its tenure to private ownership. All of the concerned entities are represented by environmental specialists knowledgeable about Columbia Basin shrub-steppe habitat and all have asserted that Juniper Canyon is ecologically valuable and should be kept in federal management.

In addition, a perennial stream runs through Juniper Canyon which has been identified by the Oregon Department of Environmental Quality as a stream segment of concern for dissolved oxygen, flow modification and temperature and is under consideration for listing as a Clean Water Act Section 303(d) water. (Waters listed by the state pursuant to CWA Section 303(d) are required to have Total Maximum Daily Loads (TMDLs) developed to bring the water into compliance with state water quality standards.) The EIS does not provide enough information to determine how the change of tenure to private ownership would affect the water quality in Juniper Canyon.

In light of the almost unanimous objections to the disposal of Juniper Canyon by state and tribal agencies as well as several environmental organizations, the EIS is relatively silent on the specific issues and values of Juniper Canyon. The final EIS should include a separate and easily identifiable discussion about Juniper Canyon that includes, but is not necessarily limited to the following information:

- a habitat and species analysis
- an analysis of current water quality and riparian quality
- a discussion of the cultural and ecological values of the canyon
- a detailed description of existing grazing and agricultural management practices in and around the canyon by the adjoining landowner or lessee
- reasonable foreseeable consequences to ecological values and functions, especially water quality and habitat, of the preferred alternative
- how negative ecological effects of the preferred alternative would be mitigated either on-site or by the acquisition of shrub steppe lands of equal or greater value

Old Growth Forest Habitat

The Final EIS needs to clarify the difference between "Forest lands Containing Large Tree Component" and "Old Growth Forest Habitat." It is unclear in the DEIS how they differ and what habitat values are associated with lands that have a large tree component and whether they really are old growth forests but have been "redefined" as large tree component to avoid controversy.

While the acquisition by BLM of larger blocks of forest land might eventually lead to large blocks of old growth habitat, we are concerned about the cumulative impacts of the loss of existing old growth and lands with "large tree components." As pointed out on page 110 of the DEIS, only 10-15% of the old growth forests remain in eastern Oregon and "The loss of 1,127 acres in Phase 1 would add to the cumulative reduction in old-growth forests in eastern Oregon." Asserting that the BLM administers only a small percentage of old growth as compared to the Forest Service does not relieve BLM of its responsibility to administer and manage its old growth habitat.

To better assess the benefits of proposed old growth habitat proposed for acquisition, the Final EIS should include the average size of the parcels that include old growth habitats and large tree component.

Water Quality

The DEIS lacks adequate analysis of possible water quality impacts from the various alternatives. Water quality impacts, such as increased pesticide and fertilizer runoff into streams due to potential conversion to agricultural uses, should be discussed where applicable. This analysis should augment the evaluation of fisheries impacts and should discuss waters, if applicable, that have been listed by the Oregon Department of Environmental Quality on their CWA Section 303(d) list of impaired waters as well as waters identified as stream segments of concern. Contact Rick Kepler at Oregon Department of Environmental Quality (503-229-6804) for more information about these waters.